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EXAMINER

KARMIS, STEFANOS

ART UNIT PAPER NUMBER

3624

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/518,948

Applicant(s)

SLAVIN ET AL.

Examiner

Stefano Karmis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-90 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-90 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) ☐ Notice of Informal Patent Application (PTO-152)
 6) ☐ Other: _____.

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Detailed Action

1. The following communication is in response to Applicant's amendment filed 08 November 2004.

Status of Claims

2. Claims 1, 4, 7, 11, 14, 24, 25, 48, 51, 65-67, 70-72, 78-81, 83-85, 87 and 90 are currently amended. Claims 2, 3, 5, 6, 8-10, 12, 13, 15-23, 26-47, 49, 50, 52-64, 68, 69, 73-77, 82, 86, 88 and 89 are left as originally filed. Therefore claims 1-90 are under prosecution in this application.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12, 14-20, 25-34, 36-40, 43-64, 67-78 and 81-86 rejected under 35 U.S.C. 102(e) as being anticipated by Savage et al. (hereinafter Savage) US Publication US 2002/0026394.

Regarding independent claims 1, 25, 48 and 67, Savage discloses a method for an ordering and payment allocation system for a seller, the method comprising the acts of:

- a database (page 6, paragraph 0057);
- a network interface coupled to the communications network (page 6, paragraph 0057);
- a processor, the processor executing functions which include (page 6, paragraph 0057):
 - receiving two or more orders from at least one buyer, the orders corresponding to more than one subsidiary of the seller (page 8, paragraph 0067);
 - evaluating the at least one order against one or more criteria, orders which meet the or more criteria being approved (page 9, paragraph 0074-0075);
 - booking the approved orders (page 10, paragraph 0079);
 - consolidating the orders into a consolidated invoice (page 15, paragraph 0108);
 - making the consolidated invoice available to the at least one buyer (page 15, paragraph 0110);
 - receiving an indication from the at least one buyer as to which of the orders a payment is being approved (page 15, paragraph 0111 and page 11, paragraph 0086-0087); and
 - allocating the payments to a corresponding subsidiary for which the payment has been made (page 15, paragraph 0111).

Claims 2, 26, 49 and 68, the orders are received electronically (page 8, paragraph 0067).

Claims 3, 27, 50 and 69, the orders are received via the Internet (page 8, paragraph 0067).

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Claims 4, 28, 51 and 70, the act of evaluating a received order against at least one of a spending limit corresponding to the buyer's organization and an available credit limit corresponding to the buyer's organization to determine whether to book the received order (page 8, paragraph 0068 and page 9, paragraph 0074-0075).

Claims 5, 6, 29, 52, 71 and 72, booking those received orders which have been evaluated as not exceeding the evaluated spending limits and creating a receivable entry in a seller account receivable system (page 9, paragraphs 0074-0076).

Claims 7, 30, 53 and 73, the consolidation act is comprised of the acts of sorting and compiling the booked orders to create a single invoice (page 14, paragraph 0102-0105).

Claims 8, 31, 54, and 74, compiling includes formatting booked orders received from different buying organizations into a common format (page 15, paragraph 0108).

Claims 9, 10, 32, 55, 75 and 76, the consolidated invoice includes sub-invoice data, sub-invoice data being data which corresponds to booked orders placed by a respective user and transmitting it to the respective user (page 15, paragraphs 0108-0110 and Figures 24-29).

Claims 11, 33, 56, and 77, making the consolidated invoice available includes sending an electronic message to the buyer to notify the buyers of an availability of the consolidated invoice,

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distributing a paper statement to the buyer and transmitting the consolidated invoice to the buyer (page 15, paragraph 0110).

Claims 12, 34 and 78, displaying the consolidated invoice on a buyer terminal, wherein the buyer indicates approval of sub-invoice items corresponding to the consolidated invoice using the buyer terminal (page 15, paragraph 0110).

Claims 14, 15, 36, 79, and 80, using the buyer terminal to authorize payment to the seller and receiving a payment from the buyer (page 15, paragraphs 0110-0111).

Claims 16, 37 and 82, the payment is received via one of an automated clearing house, a wire transfer, a lock box, a foreign exchange trade, electronic cash, netting via the Internet, an electronic wallet and a check (page 15, paragraph 0111).

Claims 17, 38, 57, and 83, updating a payment master database comprising records of payment date, payment method, payment reference, payment amount, from currency, to currency f/x tax and fee data, distribution status, and an amount distributed (page 13, paragraphs 0095-0097).

Claims 18, 39, 58, and 84, processing the received payments (page 15, paragraph 0111).

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Claims 19, 40 and 85, performing a consolidated receivable process to gather payment data into consolidated receivables data for a single report, matching the consolidated receivables data to an outstanding sub-invoice file and providing the matched data to the seller; providing complete accounts receivable processing, the act of providing complete accounts receivable processing comprises the acts of: receiving the matched data, applying the merged and consolidated receivables data to create accounts receivable and general ledger update data, and updating a general ledger corresponding to the seller (page 13, paragraph 0100 thru page 14, paragraph 0102).

Claims 20 and 86, payment data is gathered into the single report during the consolidated receivables process received from a plurality of service providers (page 13, paragraph 0100 thru page 14, paragraph 0102).

Claims 43 and 60, the order management system comprises an Internet web site (page 8, paragraph 0067).

Claims 44 and 61, a division profiles consists of an identification code, a subsidiary name, a subsidiary address, a subsidiary contact, a subsidiary bank, a subsidiary bank account and a seller's general ledger (page 9, paragraph 0075-0076);

Claims 45 and 62, the order management system comprises an invoice master database comprising consolidated invoice data records and corresponding sub-invoice data records (page 13, paragraphs 0095-0097).

Claims 46, 47, 63 and 64, consolidated invoice and sub-invoice data records have an invoice date, a customer reference, a consolidated invoice reference number, a total invoice amount; an invoice amount paid, an invoice adjustment amount, an invoice amount outstanding, and an invoice amount distributed (Figures 24-29).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

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4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
7. Claims 13, 21-24, 35, 41, 42, 65, 66, 79, 80 and 87-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savage et al. (hereinafter Savage) US Publication US 2002/0026394.

Claims 13, 23, 35, 42, 79, 80 and 89, Savage teaches providing exception items during payment (page 15, paragraph 0110). Savage further teaches entering an explanation for any bill inquiries (page 11, paragraphs 0086-0087). Savage fails to teach entering a reason code. Official Notice is taken that entering a code is old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Savage and include reason codes because it is an efficient manner of providing the explanation for bill inquiries for reasons that may be common and often cited.

Claims 21, 41, 59, 65 and 87, receiving the authorized payment, disaggregating the received payment to associate portions of the received payment with one or more selling sub-entities; processing the received payment to update an accounts receivable system, generating at least one funding report, delivering the at least one funding report to the respective sub-entities; and transferring the disaggregated funds to financial accounts for the corresponding sub-entities (page 15, paragraph 0110-0111 and page 16, paragraph 0113).

Claims 22 and 88, the funding report generation act is comprised of the act of updating a payment master database to reflect a distribution status and amount distributed to the corresponding subsidiary (page 15, paragraph 0110-0111 and page 16, paragraph 0113).

Claims 24, 66 and 90, Savage fails to teach funding a subsidiary corresponding to a holding account via a foreign exchange if the incremental funding amount equals or exceeds a predetermined total when combined with a holding account amount. Official Notice is taken that funding accounts is old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Savage and including funding a subsidiary corresponding to a holding account via a foreign exchange if the incremental funding amount equals or exceeds a predetermined total when combined with a holding account amount because it is an efficient manner of allocating funds to subsidiaries.

Response to Arguments

8. Applicant's arguments with respect to claims 1-90 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (703) 305-8130. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted
Stefano Karmis
21 February 2005

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

